

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**JASON MCLEAN and
BRIAN COLEMAN,**

Plaintiffs,

v.

**COMMUNICATIONS CONSTRUCTION
GROUP, LLC,**

Defendant.

CIVIL ACTION NO. 06-617 (SLR)

**DEFENDANT COMMUNICATIONS CONSTRUCTION
GROUP, LLC'S MOTION IN LIMINE**

As set forth in greater detail its accompanying Memorandum of Law, which is incorporated by reference herein, Defendant Communications Construction Group, LLC (“CCG”), through its attorneys, hereby moves this Court to preclude Plaintiffs Jason McLean and Brian Coleman (collectively “Plaintiffs”) from introducing at trial:

1. The May 31, 2005 police report.

Respectfully submitted,

/s/ Daniel M. Silver

Michael P. Kelly (DE Bar ID # 2295)

Daniel M. Silver (DE Bar ID # 4758)

McCarter & English LLP

Renaissance Centre

405 N. King St., 8th Floor

Wilmington, DE 19801

302.984.6301

302.984.2493 (fax)

mkelly@mccarter.com

dsilver@mccarter.com

Thomas Benjamin Huggett (*admitted pro hac vice*)
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
215.963.5191
215.963.5001 (fax)
tbhuggett@morganlewis.com

Dated: February 25, 2008

Attorneys for Defendant
Communications Construction Group, LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**JASON MCLEAN and
BRIAN COLEMAN,**

Plaintiffs,

v.

**COMMUNICATIONS CONSTRUCTION
GROUP, LLC,**

Defendant.

CIVIL ACTION NO. 06-617 (SLR)

RULE 7.1.1 CERTIFICATION

Counsel for Defendant has conferred with counsel for Plaintiffs regarding the matters set forth in this motion and counsel for Plaintiffs has instructed counsel for Defendant that Plaintiffs' position is that the police report should not be excluded completely, but that Plaintiffs would agree to admission of the police report with a limiting instruction to the jury regarding what the police report could be used for.

/s/ Daniel M. Silver

Michael P. Kelly (DE Bar ID # 2295)
Daniel M. Silver (DE Bar ID # 4758)
McCarter & English LLP
Renaissance Centre
405 N. King St., 8th Floor
Wilmington, DE 19801
302.984.6301
302.984.2493 (fax)
mkelly@mccarter.com
dsilver@mccarter.com

Thomas Benjamin Huggett (*admitted pro hac vice*)
Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921

215.963.5191
215.963.5001 (fax)
tbhuggett@morganlewis.com
Attorneys for Defendant
Communications Construction Group, LLC

Dated: February 25, 2008

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

**JASON MCLEAN and
BRIAN COLEMAN,**

Plaintiffs,
v.

**COMMUNICATIONS CONSTRUCTION
GROUP, LLC,**

Defendant.

CIVIL ACTION NO. 06-617 (SLR)

ORDER

Now, this _____ day of _____, 2008, having considered Defendant Communication Construction Group, LLC's Motion in Limine, its Memorandum of Law in Support thereof, and any opposition thereto, it is hereby **ORDERED** that Defendant's Motion is **GRANTED**. It is further **ORDERED** that Plaintiffs may not introduce at the trial in this matter:

1. The May 31, 2005 police report.

SO ORDERED BY THE COURT:

Robinson, U.S.D.J.

CERTIFICATE OF SERVICE

I, Daniel M. Silver, hereby certify that a true and correct copy of the foregoing Defendant Communications Construction Group, LLC's Motion in Limine has been served via CM/ECF this 25th day of February, 2008 upon the following:

Ronald G. Poliquin
Young, Malmberg & Howard, P.A.
30 The Green
Dover, DE 19901
(302) 672-5600
Delaware Bar I.D. No. 4447

Attorney for Plaintiffs

/s/ Daniel M. Silver
Daniel M. Silver (DE Bar ID # 4758)